

## RUSSELL WILL CASE NEAR END

Strange and Dramatic Litigation  
Has Been Under Way for  
Four Years

DECISION WILL BE FINAL

"Dakota Dan", Who Seeks Fortune,  
Soon to Know Verdict

CLAIMS HE IS MISSING HEIR

Boston, Feb. 17.—After four years of the strangest litigation the Russell case, famous in forensic history as the longest trial ever recorded, is approaching its end and it is believed it will reach its conclusion within another week. The history of the case may be said to date from the year 1907, when Daniel Russell, a wealthy resident of Melrose, Mass., died. He had two sons, William C. and Daniel Blake Russell. In 1885, however, Daniel Blake Russell mysteriously disappeared. Daniel Russell had requested in his will that, if Daniel Blake Russell should return within 20 years of the testator's death, William C. Russell should share equally with him the estate.

In 1909 "Dakota Dan" appeared as a claimant, saying he was the long-lost Daniel Blake Russell. The trial of his claim took 123 court days before Judge Lawton in the Middlesex County probate court. During the trial a great many persons in Melrose testified that "Dakota Dan" was the person they remembered as Daniel Blake Russell; others could not so remember.

**"Dakota Dan" Poses.**  
William C. Russell, who opposed the claims of "Dakota Dan" and refused to acknowledge him as his brother, brought forward Mr. and Mrs. James Rousseau and some of their children from Northern New York, who said that the claimant was not Daniel Blake Russell, but their son and brother, respectively. The court decided that "Dakota Dan" was not Daniel Blake Russell. Thereupon the claimant appealed to the Supreme Court against the decision given by the lower court in 1910. Shortly after that "Fresno Dan" made his appearance in Melrose and was recognized by William C. Russell as his long-lost brother. The appearance of this rival claimant greatly complicated matters and the fact that he was endorsed and accepted as the true claimant by William C. Russell, who was most vitally interested in the outcome of the litigation, made matters a great deal more difficult for "Dakota Dan."

**Final Trial of Case.**  
The second trial began before Gilbert A. A. Pevey of Cambridge, appointed master by the state Supreme Court, on July 16, 1912, and has continued without material interruption ever since. The master has held sessions on more than 150 court days and considerably more than three hundred witnesses have been heard. While the former trial was a record breaker in length it is eclipsed by the present hearing. The sheets of typewritten testimony at the former trial, piled sheet on sheet, made a pile more than six feet high. The present hearing has far exceeded that record. Under Massachusetts procedure, it is stated, there can be no appeal from the decision soon to be expected, there being no higher tribunal in this commonwealth. There may be arguments, however, on the exceptions as to the rulings of the master, which may materially add to the length of the trial.

**Much Public Interest.**  
The case has aroused a great deal of interest and public opinion which from the beginning of the trial has been divided into two factions, one believing in the justice of "Dakota Dan's" claims and sympathizing with him, the other believing "Fresno Dan" to be the true claimant entitled to a share in the Russell estate.

The testimony in both the first and the second trial was often highly dramatic and sensational and at every sitting of the court the court room was crowded with interested spectators. One of the most dramatic bits of testimony in the second trial or hearing was the reappearance of Edward W. Frents, who testified in the former hearing that "Dakota Dan" was not the Daniel Blake Russell, the missing son of the late Daniel Russell. At the second hearing Frents was again called upon the witness stand and declared that "Fresno Dan" was the Daniel Blake Russell with whom he had played as a boy.

**Many Favor "Dakota Dan."**  
Many old residents of Melrose were called upon the witness stand and while some were positive that "Dakota Dan" was the right claimant, others contradicted this testimony and were equally positive that he was not Daniel Blake Russell. In a general way it may be said that the sympathies of the majority were with "Dakota Dan," whose testimony at the

## SOLDIERS TRY TO KILL ENVER BEY

"Young Turk" Leader Is Stabbed  
Several Times by Members  
of the Army

THREATS AGAINST HIS LIFE

Soldiers Aroused by Assassination  
of Commander

ENVER'S FORCES ARE DEFEATED

London, Feb. 17.—Turkish soldiers early today attempted to assassinate Enver Bey the "Young Turk" leader. A News agency wireless from Constantinople says Enver was severely stabbed several times, but there are no further details.

Enver was one of the leaders of the recent revolt of the "Young Turks," which led to a renewal of the war between Turkey and the Balkan states. Several threats against his life have been made by the disaffected soldiery, who were aroused by the assassination of Nazim Pasha, their commander.

Enver's forces were defeated on the shores of the Sea of Marmara last week with terrible losses, following an attempt to flank the Bulgarians.

**UTAH COPPER.**

**New High Records Will Be Made This Year.**

Perhaps the most significant thing about the company's report for the quarter ended December 31st is that, in spite of production during this period having been more than cut in half, the company's output for the full year was nearly equal to that of the previous year.

In other words, although operations were very seriously interfered with by causes entirely outside the control of the management for a full third of the year, the production for that year practically equaled any previous output.

While such interruptions are unfortunate and expensive perhaps they bring out more strongly than can be done in any other way the natural tendency toward growth in this production and the fact that when operations are again restored to a normal basis production will be on a much larger scale than ever before.

As we said in last week's letter only an extraordinary combination of unfortunate circumstances could have forced such a temporary decline in production and earnings and at least two of the three factors responsible for this decline namely, the weather and labor troubles, are rapidly being overcome. Hence, that production fell off during the last quarter to less than 12,000,000 pounds, and that there was a deficit after dividends of \$257,000, should be regarded merely as passing incidents.

As a matter of fact, the copper for this period was figured at 15 1/2 cents per pound, while, actually, about 25 cents more was realized, so that the actual earnings must have been just about equal to dividend requirements.

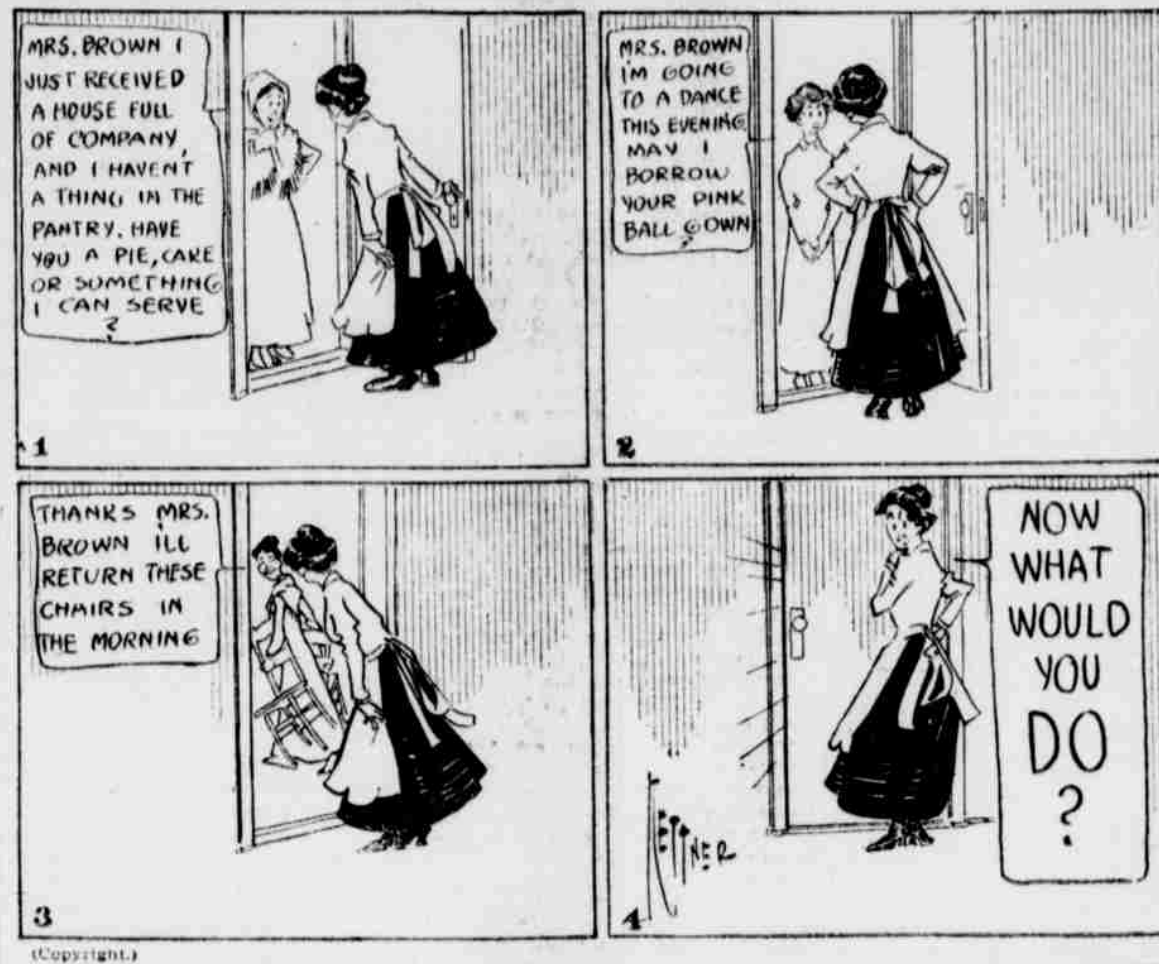
It will be now but a few weeks before the tonnage is back to a normal amount, and but a few months before the ore is of average grade, and, consequently, earnings back to the level that they were at before the strike.

There is, therefore, every probability that the coming year will see high records for Utah Copper in every respect—production, costs and earnings. Not only this, but with the completion of the work of increasing capacities of the coarse-crushing departments of the two plants, construction expenditures at the mill will be practically ended and there will be no heavy requirements for construction or betterments at the mines or on the railroad.

In other words, charges against capital account for the coming year will be reduced to a nominal figure. With power costs reduced through its contract with the Utah Power and Light, the outlook for a further great strengthening of Utah's treasury position during the coming year is excellent.—Hayden, Stone & Co.

**M'LEAN'S TROPHIES STOLEN.**  
Chicago, Feb. 17.—Robert McLean, international amateur ice skating champion, on his arrival yesterday, reported that he had been robbed of eighteen medals, which he won competing in eastern meets. The medals were carried in a case, which was stolen from McLean's sleeping car berth the night before.

## NOW, WHAT WOULD YOU DO?



## REPORT OF MORGAN'S ILLNESS IS DENIED

Said He Has Recovered From  
Acute Indigestion

London, Feb. 17.—J. Pierpont Morgan was taken suddenly and seriously ill at Cairo, Egypt, according to a dispatch from Rome to the Exchange Telegraph company. The dispatch says Morgan today is being brought back to Naples on the steamship Coronia. He is accompanied by two physicians and two nurses.

The report given out by the Exchange Telegraph company has not been confirmed, or even mentioned, through any other news source. Morgan sailed from New York Jan. 7 this year on the steamship Adriatic. The steamship arrived at Naples Jan. 23, and on Jan. 24 sailed to Alexandria, Egypt, arriving there Feb. 7. Morgan intended visiting friends of ancient relics being explored under the auspices of the Metropolitan museum of New York. It was stated that at the time of Morgan's departure by some intimate friends that he probably would not return to the United States until August. No physicians accompanied him on the voyage.

**Is In Usual Health.**  
New York, Feb. 17.—From authoritative private sources it is learned Morgan had an acute attack of indigestion three or four days ago, but it passed off and he now is in his usual health. He is leaving Alexandria today on the Coronia for Naples, and is then to take a journey through Italy.

**Son Gets Reassuring News.**  
New York, Feb. 17.—J. P. Morgan, Jr., received a cablegram from his father at Alexandria, Egypt, saying he had so far recovered from his attack of acute indigestion that he had decided to return to Cairo and not go to Europe as first planned. It is said Morgan's family and friends felt absolutely no concern regarding him.

**Prices Badly Break at Opening.**  
New York, Feb. 17.—Morgan & Co. also received a cablegram from Morgan. It was dated Cairo and said Morgan was in good spirits and probably would stay a fortnight.

Reports of Morgan's illness alarmed speculators in the stock market when trading began and stocks were unloaded in large amounts. Bull traders hastily closed out contracts and there also was heavy selling by the bears. Prices broke abruptly. In all speculative leaders there were "wide openings."

Reassuring reports concerning Morgan's condition soon stemmed the selling, and at the end of the first hour the market was steady and prices had reached a slightly higher level.

**BRYCE GUEST OF HONOR.**  
British Ambassador Addresses Clergy in New York.

New York, Feb. 17.—James Bryce, the British ambassador, was the guest of honor and the principal speaker at a luncheon given here today by the Clerical Conference of New York Federation of Churches. All protestant denominations were represented at the gathering, as well as ministers of the Roman Catholic church and a number of rabbis. Mr. Bryce delivered his parting words to the religious forces of the city and touched upon matters of interest concerning morality and religion in England and the United States.

D. W. Marvel, Canaan, Conn., has a clock 105 years old. Still running.

## ROOT'S CANAL AMENDMENT REJECTED BY COMMITTEE

Washington, Feb. 17.—Senator Root's proposed amendment to repeal the provision giving free Panama canal passage to American coastwise ships was rejected today by the Senate committee on inter-oceanic canals. The motion to table it carried by 7 to 3. The decision of the committee, it is believed, will prevent action by the Senate at this session.

The LaFollette-Adams railway valuation bill was today tentatively amended by the Senate committee the valuation to telegraph and telephone properties on other common carriers in interstate commerce.

## CASH REGISTER PRESIDENT GETS ONE YEAR SENTENCE

Cincinnati, Feb. 17.—John H. Patterson, president of the National Cash Register Co., who with twenty-eight other officials and former officials of the company, was convicted of criminal violation of the Sherman law was sentenced today to pay a fine of \$5,000 and serve a year in jail. The others will serve jail sentences ranging from nine months to a year and pay costs.

## TEAM TO IRON COUNTRY.

Lake Linden Basket Ball Squad to Meet Fast Fives.

The senior basketball squad of the Torch Lake association will leave Wednesday morning for the Iron country. The team will meet the Ishpeming Y. M. C. A. Wednesday evening and then leaves for Marquette, where it will play the fast fives of King Arthur quintet the following night. The Normal school five, the organization which played in the copper country last year and was defeated by the Lake Independents, will be met on Friday night. The boys have tried to arrange games for Saturday and sent word of that effect to Gwin and Munising but up to date no word from them has been received.

The Lake team is a fast one, having won a large percentage of the games played this season. Manager Wiesener of the local squad announces the following line-up: Center, Glesener; forwards, Tietin and Brisson; guards, Wiesener and Aubin; substitute, Barkell.

## BURGERS' TRUST REVEALED.

Cleveland, Feb. 17.—That the investigation of Frank Kinney, held in Chicago in connection with the killing of Captain Byrne here, has led to the discovery of a "burglars' trust" that operated in Cleveland, Chicago, Cincinnati and Toledo, is the belief of the local police.

A company of well known business men of Halifax has been organized to raise and sell silver and black foxes.

## CINCINNATI FANS BUY SEATS FOR OPENER.

Cincinnati, Feb. 17.—Twelve thousand reserved seats, all that there are in League park, have been sold for the opening game of the 1913 season between the Cincinnati and Pittsburgh clubs. This was the announcement made today by the club officials. The seat sale is the greatest of its kind on record.

## GIVES THE CAUSES OF HIS DOWNFALL

Bandit Webb Blames Joy Riding  
and Loan Sharks

Chicago, Feb. 17.—"Joy riding," automobiles and loan sharks were given by Robert Webb, who has confessed he killed Detective Hart who tried to capture him, and leader of the auto bandits, as the reasons which turned him to a career of crime. "Loan sharks," he said, "got me in bad for eighty dollars. I paid that, but never got a square deal from them and still owe them."

"I thought it would be an easy thing to hold up people and fly away in a machine. If it had not been for 'joy rides' and crooked loan sharks I'd be free now and an honest fellow."

Of the men named by Webb as his companions in crime, seven have been arrested, and others are being sought. Webb confessed yesterday he is the slayer of Detective Hart, and gave the police much valuable information, including the names of alleged companions.

## PASSES RESOLUTIONS.

Good Will Farm Expresses Regret Over Mrs. Walker's Resignation.

The following resolutions were passed at a meeting of the Good Will Farm association, expressing the regret of the members over the loss of Mrs. G. M. Walker as superintendent.

"Whereas, Mrs. G. M. Walker, who for the past four years has efficiently discharged the duties of superintendent of the Good Will Farm and Home Finding Association and whose resignation of that position to take effect on March 1, 1913, was presented and accepted at the last meeting of the association February 23. Be it resolved—That in recognition of her faithful and valuable services, the officers and trustees of the Good Will Farm and Home Finding Association take this occasion to express their regret for the necessity which takes Mrs. G. M. Walker from the association and hearty appreciation of the services which have endeared her, not only to the officers, trustees and members, but to a large portion of the people of the upper peninsula with whom the discharge of her duty brought her in frequent contact."

Mrs. L. J. Donaldson, the new superintendent, will arrive before the first of the coming month to assume her new duties. She was connected with the farm about ten years ago, but left to take up other work. She has resigned as assistant superintendent of the Illinois Children's Home and Aid society to take the position at the Good Will Farm.

## WILL RUN FOR CLERK.

Frank Leonard of Hubbell Will Oppose Richard Cuddihy.

Frank Leonard of Hubbell, a member of the board of trustees of Hubbell, has decided to oppose Richard Cuddihy present incumbent, for the office of village clerk. Mr. Leonard is just completing his second term as trustee. He has been active in public affairs for the past fifteen years.

President E. X. Gillet has announced his intention of seeking re-election as official head of the village and no opposition has developed as far as can be ascertained. Treasurer A. J. Marcotte held that office but one year and naturally is out for the job of handling the village funds again. Other than the above there seems to be little doing in the village politically.

## TAFT REPLIES TO MADERO; BATTLE IS RESUMED TODAY

### NO ORDERS GIVEN TO SEND TROOPS

Mexico's President, Who Requests

U. S. to Keep Out, Was

Misinformed

NOTE OF WARNING SOUNDED

Necessity of Early Establishment  
of Peace Pointed Out

MUST RELIEVE THE SITUATION

### BRISK FIGHTING IN THE CAPITAL

There Are Indications, However,

of Developments Which Will

Improve Situation

BUT FEW DETAILS RECEIVED

Strict Censorship of All Dispatches  
Is Maintained

RIVAL FORCES HOLD POSITIONS

**BULLETIN.**  
Washington, Feb. 17.—Renewed activity of preparations of a possible troop movement to Mexico was indicated today in hurried orders to the army transport Maeda at Newport News to sail for Philadelphia. Expedition of marines usually are assembled there. There are no official explanations.

Washington, Feb. 17.—President Taft's reply today to President Madero of Mexico, who yesterday requested that U. S. troops be kept out of Mexico, pending his further attempt to put down the Diaz revolt, is as follows:

"From your excellency's telegram, which reached me on the fourteenth, it appears your excellency is somewhat misinformed as to the policy of the United States towards Mexico, which has been uniform for two years, or as to naval and other measures thus far, which are measures of natural precaution. The ambassador telegraphed that, when you were good enough to show him your telegram to me, he pointed out this fact.

"Your excellency must, therefore, be aware that reports which appear to have reached you that orders already have been given to land forces, were inaccurate.

"The ambassador, who fully informed me, is again instructed to afford you any desirable information. Fresh assurance of friendship to Mexico are unnecessary.

"In view of the special friendship and relation of the two countries, I cannot too strongly impress upon your excellency the vital importance of the early establishment of that real peace and order that this government has so long hoped to see, both because American citizens and property must be protected and respected, and also because the nation sympathizes deeply with the afflictions of the Mexican people.

"In reciprocating the anxiety shown by your excellency's message, I feel it my duty to add sincerely, without reserve, that the course of events during the past two years, culminating in the present and most dangerous situation, creates in this country extreme pessimism and the conviction that the present paramount duty is the prompt relief of the situation."

**Anxiety in Washington.**  
Washington, Feb. 17.—Mexico city is virtually cut off from the outside world today by an iron censorship. With no direct news dispatches from there, and only one official dispatch from Wilson, which simply said fighting had been resumed and the armistice broken, Taft and officials waited in suspense.

The first dispatches early in the day, filtered down from Mexico City to Vera Cruz, said hostilities had been resumed. The Mexican embassy has been depending on the press dispatches for information regarding the fighting in Mexico City.

The army has gone as far as it can under present arrangements, for a possible movement of the troops to Mexico. At the war department, officers who have marched to the relief of the garrisons at Peking, declared that even should all wire communication to Mexico City be lost, even stopping Wilson's dispatches, that alone would not be cause for the landing of troops. It was pointed out that even the embassy would have to resort to messengers to get dispatches overland to Vera Cruz or some other seaport, where communication is available.

Lack of any news dispatches at all from Mexico City early today was causing the officials some uneasiness.

**Warning to Madero.**  
Washington, Feb. 17.—Taft's reply to an appeal by Madero to keep U. S. troops out of Mexico, pending his further attempt to put down the Diaz revolt, is going forward today. It is understood to be practically a re-

Vera Cruz, Feb. 17.—Hostilities in Mexico City were vigorously resumed at an early hour this morning, according to information received here. The positions of the forces is unchanged.

**Fighting Is Brisk.**  
Mexico City, Feb. 17.—Brisk fighting continues. There are indications, however, of developments that may relieve the situation to a measurable degree. It is impossible to transmit details, owing to censorship.

**Fire Dwindles at Noon.**  
Mexico City, Feb. 17.—The engagement was very severe almost till noon, but firing then dwindled. Many Americans departed yesterday and today for Vera Cruz.

**Communication Closed.**  
Brownsville, Texas, Feb. 17.—All local communication with Madero closed at 5 o'clock this morning and passengers were forbidden to cross the International bridge at either point. Mexican soldiers are stationed at the bridge.

**Mexican Populace Quiet.**  
Washington, Feb. 17.—Consuls throughout Mexico reported the populace quiet, pending news of decisive action in Mexico City.

**Rebels Capture Matamoros.**  
Brownsville, Texas, Feb. 17.—Without serious resistance, Matamoros, a Mexican town across the Rio Grande, passed into the hands of the rebels at 5 o'clock this morning.

The rebels have declared for Diaz.

**Rebel Chief Is Executed.**  
El Paso, Texas, Feb. 17.—Rebel Chief Porras and twenty followers were executed Saturday at Chihuahua City by the federalists, who captured 47 others. Porras was credited with many outrages, including the cremation, in the burning of a station house, of three Mexican railway employees.

affirmation of this government's attitude, as previously expressed, coupled with a strong warning to Madero that the United States has a right to land its troops in Mexico to protect Americans and other foreigners, should a state of anarchy come about, or should neither of the opposing forces extend protection.

The latest phases of the situation were considered at a cabinet meeting which lasted until early this morning. At its close, it was announced a reply to Madero's telegram of Saturday should go forward. Meanwhile the army and navy continue to move into position to do instant work. The battleship Georgia is already at Vera Cruz and the Virginia is at Tampico, both on the Atlantic side; the big dreadnought South Dakota is at Acapulco and the cruiser Colorado at Mazatlan, both on the Pacific side. The dreadnoughts Vermont and Nebraska are due at Vera Cruz today.

It is known that Taft and his cabinet now regard with most concern the maintenance of communication with Mexico City, or any attempt on the part of Madero to put a censorship on dispatches to this government. The isolation of the United States embassy and foreigners will be one of the first things that will force the landing of troops on Mexican soil at this juncture.

**No Intervention Sentiment.**  
Washington, Feb. 17.—Only one dispatch was received from Ambassador Wilson over night up to 10:30 o'clock this morning. It was brief and confirmed the last news out of Mexico, saying the fighting had resumed with the break of armistice.

Private dispatches from Madero to personal friends in Washington, received today, simply said: "Expect definite results very soon."

Senator Culom, chairman of the Senate foreign relations committee, after a short talk with Taft declared he still was opposed to interven-

(Continued on Page Eight.)